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Preparatory Committee for the United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects
Third session
19-30 March 2001

Note verbale dated 19 March 2001 from the Permanent Mission of Bulgaria to the United Nations addressed to the Chairman of the Preparatory Committee, transmitting working views and suggestions of the Bulgarian delegation on regional and subregional activities

The Permanent Mission of the Republic of Bulgaria to the United Nations presents its compliments to the Chairman of the Preparatory Committee for the United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects and, mindful of the request of the Chairman to be kept informed about subregional and regional activities regarding small arms and light weapons as well as of the importance of participation in the work of the Preparatory Committee and the Conference itself of representatives from those organizations, has the honour to request that the attached working views and suggestions of the Bulgarian delegation be circulated as a document of the Preparatory Committee (see annex and enclosures).

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Annex

Working views and suggestions of the Bulgarian delegation

- We consider that the participation of various regional and sub-regional organizations relevant to the problems of small arms and light weapons in the preparation for and in the Conference itself as well as in the follow-up implementation of the Programme of Action, will contribute to finding adequate and effective solutions, including at regional and sub-regional level, to prevent and combat the illicit trade in small arms and light weapons in all its aspects.
- The Bulgarian delegation supports the adoption of a Programme of Action, which will effectively combine concrete measures of national, sub-regional, regional and global nature.
- We attach particular importance to the various regional and sub-regional fora and initiatives, well-suited to find practical solution to local problems connected with illicit trade and the destabilizing accumulation of small arms and light weapons in some areas of South Eastern Europe.
- We are of the view that the Preparatory Committee should take due account of the activities dealing with the issues of small arms and light weapons in the region of South Eastern Europe, undertaken within the framework of Working Table-3 (security issues) of the Stability Pact.
- We propose that the Chairman of the Preparatory Committee extends an invitation to Ambassador Kim Traavik, Chairman of Working Table-3 of the Stability Pact, to take part in the third session of the Preparatory Committee and in the UN Conference on Illicit Trade in Small Arms and Light Weapons in All Its Aspects.
- Bulgaria would like to see that the efforts of the international community, regarding small arms and light weapons in the various significant for us sub-regional and regional fora and organizations namely - **the Stability Pact for South Eastern Europe, EU, OSCE, the NATO/ EAPC working group on small arms and light weapons** - are comprehensively taken into account in the annex of the revised Programme of Action (A/CONF.192/PC/L.4/Rev.1).

With reference to the above-mentioned we would like to draw the attention of the Preparatory Committee to the following developments:

Within the framework of the Stability Pact

- In November 1999 the countries of South Eastern Europe including Bulgaria adopted a Joint Declaration stating their readiness to cooperate in curbing the illicit trade in small arms and light weapons in SEE by collecting illegally possessed quantities and securing their destruction. /**the Istanbul Declaration**/.
- In December Bulgaria hosted and organized a **Regional Conference on Export Control** which adopted two important documents - **Joint Declaration on**

Responsible Transfers of Arms and Declaration on Harmonization of End-Use/End-User Certificates in accordance with the acknowledged international standards.

- In the course of its **Co-chairmanship of Working Table-3** on security issues of the Stability Pact, Bulgaria was working actively on the issues relevant to small arms and light weapons. During the session of Working Table-3, held in Sofia, 4-5 October 2000/ concrete projects were agreed on the destruction of SALW in partnership with the United States, Norway and Germany. The delegations considered the possibility of establishing an informal ad-hoc mechanism for exchange of information on small arms related activities.
- In October 2000 Bulgaria, together with Canada, organized and hosted a Stability Pact Seminar on Small Arms and Light Weapons Collection and Destruction.

Within the framework of EU:

As a country associated with the EU, Bulgaria systematically aligns itself with the common positions, statements, declarations and resolutions initiated by the EU in the international organizations in the field of arms control and non-proliferation. In 1998 Bulgaria aligned itself with the Code of Conduct of the EU with reference to arms trade and in 1999 with the decision for Joint Action of the Council of the EU to prevent destabilizing stockpiling and proliferation of small arms and light weapons.

Within the framework of OSCE:

As a country participating in OSCE, Bulgaria views the November OSCE Document on Small Arms and Light Weapons, adopted by consensus, not only as a significant practical step to combat the illicit trafficking and the destabilizing stockpiling of small arms and light weapons in the OSCE region but also as a considerable contribution in the preparation of the UN Conference. On February 1, 2001 the Government of the Republic of Bulgaria adopted a decision to implement and fulfill the principles, norms and criteria of the OSCE Document on Small Arms and Light Weapons.

Within the framework of NATO/EAPC:

- On 2-3 December 1999 at the initiative of the Netherlands and Bulgaria an EAPC Seminar was held in the Hague to discuss standards for safe management of stockpiles of small arms and light weapons.

As a contribution to the preparation of the Conference, we would like to submit to the Preparatory Committee the following documents, with particular significance, in our view, to South-Eastern Europe:

1. The Istanbul Declaration for Destruction of Surpluses of and Confiscated Small Arms and Light W eapons adopted in 1999.
2. Chairman's Summary - Regional Conference on Export Controls held in Sofia on 14-15 December 1999 and the two documents adopted at the Conference:

⇒ Joint Declaration on Responsible Arms Transfers and

⇒ Statement on Harmonizing of End-User Certificates in accordance with the recognized international standards.

3. The conclusions of the Stability Pact Seminar on SALW Collection and Destruction, held in Sofia, 17-19 October 2000, with the cooperation of Canada.
4. Excerpt of the conclusions of the Chairman of the Working Table-3 session held in Sofia on 4-5 October 2000.

Enclosure I

SPECIAL COORDINATOR OF THE

STABILITY PACT

FOR SOUTH EASTERN EUROPE

Declaration on Small Arms and Light Weapons

Given the destabilizing effects of excess, unsecured, and illicitly trafficked small arms and light weapons on areas of conflict and post-conflict stabilization within southeastern Europe,

The Republic of Albania, Bosnia and Herzegovina, the Republic of Bulgaria, the Republic of Croatia, the Republic of Hungary, Macedonia, the Republic of Moldova, Romania, the Republic of Slovenia and the Republic of Turkey declare their readiness to intensify efforts to:

-- interdict and seize illicit transfers of small arms and light weapons by, for example, working in concert with multilateral initiatives such as the Anticrime Center in Bucharest and others;

-- destroy small arms and light weapons which they have seized as a result of interdicting illicit traffic;

-- destroy small arms and light weapons which they hold under their control in excess of their legitimate needs, and take all necessary measures to secure the stockpiles and weapons under their control and necessary to their defense;

They also:

-- welcome the agreement to use the Anti-Crime Center in Bucharest to share information on illicit trafficking in firearms;

-- welcome similar efforts to address the destabilizing proliferation and accumulation of small arms and light weapons in other fora;

-- declare their readiness to work with each other and with other interested states to identify assistance requirements for destroying and storing small arms and light weapons, and to take the issue forward at the next meeting of the Security Table;

-- are prepared to invite the OSCE to monitor the destruction of weapons.

Enclosure II

REGIONAL CONFERENCE ON EXPORT CONTROLS

Sofia, 14-15 December 1999

Chairman's Summary

Upon the invitation by the Bulgarian Government, a Regional Conference on Export Controls was held in Sofia on December 14-15, 1999, under the auspices of the Stability Pact for South-Eastern Europe. The Conference was co-sponsored by the Government of the USA. Twelve countries from South-Eastern and Central Europe participated in the forum. Representatives of the Stability Pact Special Co-ordinator, the OSCE Chairman-in-Office, the European Commission and the Wassenaar Arrangement also attended.

In his opening address Mr. Valentin Vassilev, Minister of Trade and Tourism of Bulgaria, stressed the primary objective to increase co-operation and co-ordination among states in the region to prevent illegal arms flows, as well as to develop effective arms and dual-use export control systems.

The discussions during the four working sessions focused on implementation of non-proliferation policies and the establishment of effective national export control systems. Several delegations presented various cases demonstrating different aspects of their export control systems and specific enforcement measures. The Bulgarian delegation offered detailed information on the national export control system, including policy development and interagency co-ordination, as well as international and regional co-operation in the field.

The US delegation made a number of presentations on the importance of enforcement of export controls and the contribution of information sharing to this aim. It was stressed that the countries of the region should know best the potential violators and trade routes used in illicit transactions. It is through sharing of information across borders that countries could best be able to combat illicit arms trafficking. Another presentation discussed the growing internationalization of product development, which is an important reason for regional co-operation. US participants also dwelled on law enforcement's role in export controls, information sharing, developing sources of information, use and effectiveness of criminal and administrative penalties, enforcement mechanisms, and the importance of controls of intangible technologies. The need to enhance co-operation and co-ordination among policy licensing and law enforcement agencies in their export control efforts was emphasizied. Case-studies that demonstrated investigations and prosecutions of export control violations were provided. Representatives of the US Department of Commerce referred to several sources of information for use in export control issues.

The delegation of Poland made a presentation on the catch-all regulations.

Two proposals for joint political documents, stemming from the discussions, were elaborated during the Conference.

Participants agreed on a text of a Joint Declaration on Responsible Arms Transfers, emphasising the will of the participants to intensify their efforts in promoting greater co-operation, responsibility and transparency in this regard. They declared their readiness to expand sharing of information on transfers of arms, to exercise maximum restraint in transfers to conflict areas, and to refrain from sales of arms and dual-use goods and technologies to irresponsible end-users and for irresponsible end-uses. The countries agreed to prevent and combat illicit arms trafficking through concrete measures in the region, and to abide by relevant international standards and decisions.

Participants also agreed in principle on a text of a Statement on Harmonization of End-Use/End User Certificates, expressing readiness to develop harmonized information for end-user/end use certificates based on the best existing provisions and practices. There was a common understanding that the number of government institutions and officials authorized to issue and sign the certificates should be minimized, as well as that the names of these institutions and officials should be communicated to other governments upon request.

There was a common understanding that the texts of both documents were agreed ad referendum, and that all states that have subscribed tc them will notify officially Bulgaria as Chair of the Conference about their consent to join the Declaration on Responsible Arms Transfers and the Statement on Harmonization of End-Use/End User Certificates. This notification should be done as soon as possible, but not later than 17 January 2000.

The delegations of Albania, Bulgaria, Hungary, Poland, Slovakia, Turkey and the United States declared that they adopt the Declaration on Responsible Arms Transfers already at this Conference.

Various ideas were also discussed on possible follow-up measures. A proposal was made for a follow-up meeting in January 2000, possibly in Vienna, to exchange information on the implementation of the two joint political documents. Ideas for further follow-up measures in 2000 and adherence of other states and organizations to the goals of the two documents were also discussed.

The participants supported the idea to invite all states and organizations involved in the Stability Pact process to join the Declaration on Responsible Arms Transfers and the Statement on Harmonization of End-Use/End User Certificates.

In accordance with the conclusions of the Oslo Meeting of the Stability Pact Working Table 3 /13-14 October 1999/, Bulgaria will report on the results of the Conference to the next meeting of the Working Table 3 in Sarajevo in February 2000.

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JOINT DECLARATION ON RESPONSIBLE ARMS TRANSFERS

Sofia, December 15, 1999

As a contribution to the objectives of the Stability Pact for South Eastern Europe, the countries participating* in the Sofia Conference on export controls, held on 14-15 December 1999, will intensify their efforts to promote greater cooperation, responsibility and transparency with regard to their respective arms export control policies.

While reaffirming that the sale of arms is a legitimate aspect of international trade, they share the goal of preventing and combating illicit arms trafficking, in particular of small arms and light weapons, especially through concrete measures in the region. They recognize the need to distinguish between arms transfers that legitimately contribute to national defense and security, and those that exacerbate instability, tension, violence and loss of human lives in regions of conflict or that may help build arsenals of irresponsible recipients.

They reaffirm their respective commitments in the field of arms transfers to abide by the relevant standards and decisions of the United Nations, the Organization for Security and Cooperation in Europe, the European Union and other international organizations and institutions, as applicable, and to incorporate these standards and decisions, as needed and appropriate, in their national legislation and practice.

Taking note of the aspirations of some states participating in the conference to become members of the Wassenaar Arrangement, they acknowledge its important role as well as that of other international non-proliferation regimes in enhancing the effectiveness of export controls.

In order to accomplish these goals they declare their readiness to expand sharing of information on transfers of arms, to exercise maximum restraint in transfers to areas of conflict, and to refrain from sales of arms and dual-use goods and technologies to irresponsible end-users and for irresponsible end-uses.

Greece has expressed full support for this Declaration.

The representative of the Special Coordinator of the Stability Pact for South Eastern Europe and the representative of the Chairman-in-Office of the OSCE express full support for this Declaration.

Participants in the Sofia Conference invite all states and organizations involved in the Stability Pact process to join this Declaration.

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STATEMENT ON HARMONIZATION OF END-USE/END-USER CERTIFICATES

Sofia, December 15, 1999

In furtherance of efforts to increase regional stability and cooperation and to strengthen responsible national export control policies, the countries participating* in the Sofia Conference on export controls, held on 14-15 December 1999, declare their readiness to develop harmonized information for end-use/end-user certificates, in line with best existing practices, to be used for items which are subject to export controls.

They share the understanding that end-use/end-user certificates issued on the basis of best existing provisions and practices would further reduce the danger of illegal transfers.

They believe that the minimum information required in all end-use/end-user certificates is name and address of foreign end-user; end-use, as applicable; country of ultimate destination; commodity and its description; quantity; intermediate consignees and purchasers and review or certification by the respective government institution.

They underline the need to minimize the number of government institutions and officials authorized to issue and sign end-use/end-user certificates.

The names of the institutions and officials authorized to issue end-use/end-user certificates will be communicated to other governments in order to help them verify end-use/end-user certificates upon their request.

Greece has expressed full support for this Statement.

The representative of the Special Coordinator of the Stability Pact for South Eastern Europe and the representative of the Chairman-in-Office of the OSCE express full support for this Statement.

Participants in the Sofia Conference invite all states and organizations involved in the Stability Pact process to join this Statement.

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STABILITY PACT SEMINAR ON SMALL ARMS AND LIGHT WEAPONS COLLECTION AND DESTRUCTION

SOFIA, 17-19 OCTOBER 2000

CONCLUSIONS

From 17 to 19 October 2000 a Stability Pact Seminar on Small Arms and Light Weapons

The Seminar brought together representatives and experts from over 30 countries and organizations participating in the Stability Pact for South Eastern Europe. It was noted that this was the first Stability Pact forum related to regional security at which a representative from the FR of Yugoslavia participated. This development was welcomed.

Over the three days of the Seminar, the participants held substantive discussions that covered a spectrum of issues, related to preventing excessive and destabilizing accumulations of SALW, with particular focus on collection and destruction activities. Relevant cases and programs carried out by countries in the region with the support of international organizations and donor countries were examined. The participants also exchanged information on their national experiences and practices in the field of SALW. The need to apply a differentiated approach to the specific situations and needs in each country was emphasized.

Participants focused specifically on the various aspects of the destruction process and the means to ensure that it was carried out in an efficient and cost-effective manner. In this respect a comprehensive keynote presentation made by Mr. David DeClerq of Canada, served as the basis for discussion. Different destruction methods were also subject to consideration. Delegations examined the factors related to the destruction process both from donors and affected states perspectives. The importance of destruction of ammunition was particularly underscored by a number of participants.

The need to proceed with concrete practical steps in the field of SALW destruction was stressed by all delegations. Upon invitation by the Bulgarian Ministry of Defence on 18 October the participants visited the industrial destruction facility "TEREM" in the town of Veliko Tarnovo and attended a practical demonstration of techniques and methods used for destruction of several types of SALW. This demonstration provided an opportunity to observe the practical application of the discussions of the previous day. The national capacity of Bulgaria developed in the field of destruction of surplus weapons was positively evaluated by participants.

The Seminar examined projects of weapons collection related to countries in South Eastern Europe and considered lessons learned in other countries and regions. Notably, the UNDP Weapons for Development project in Albania and lessons learned from UN peace support operations in Latin America as well as from OSCE Field Operations related to post-conflict settlement in several countries were given particular attention.

The participants were informed by a member of the USA-Norwegian team of experts, which made assessment visits to Albania, the FY Republic of Macedonia and Bulgaria about some preliminary results of their mission. This initiative by the United States and Norway to provide assistance tailored to the specific needs of the countries of the region was commended.

The Seminar concluded with a panel brainstorming discussion on " Who does what in the area of SALW " Presentations were made from the perspectives of the UN, the OSCE, NATO/EAPC, the Wassenaar Arrangement and the Stability Pact. A useful input to the panel was provided by the statement of Ms. Peggy Mason on behalf of the UN Group of Experts, assisting the UNSG in the preparations for the UN 2001 Conference on the illicit traffic of SALW in all its aspects. The Group held an informal meeting in Sofia in parallel to the Seminar. The panel confirmed conclusions also made at previous meetings on the need for synergy of efforts among all competent international bodies at global and regional level for tackling successfully the complex challenge presented by SALW excessive availability and proliferation. In this respect participants recognized the added value of the discussions in Sofia, combined with a practical demonstration of SALW destruction, for furthering exchange of information and interaction in this area of increased international attention.

- The terms of peace settlements should, where appropriate, include microdisarmement.
- Environmentally sound destruction methodologies should be used where possible, although no affordable destruction method can be deemed 100% ecologically safe.
- States should support work currently being undertaken by the Secretary General of the United Nations to elaborate a manual on environmentally sound destruction techniques.
- Destruction is not a technically difficult process, nor does it need to be a costly endeavor. There exist many effective and cost efficient processes that may be used depending upon the situation. The benefit related to the destruction of small arms can be quite high.
- It is acknowledged that ammunition and explosives disposal can be more costly and complicated.
- Experiences and skills developed through the implementation of the CFE Treaty could be used for the development of small arms and light weapons destruction projects.
- Standards for stockpile management and destruction should be established.
- Technical assessments teams could be provided to states upon request to assist them in determining their stockpile management, security and destruction needs.
- A regional facility or a mobile facility for destruction, funded by member states, could be made available for use by the OSCE and/or the UN.
- Public awareness and public awareness campaigns are important to ensure full public participation in weapons collection programs.
- International efforts should support national and local initiatives.
- States should be encouraged to make use of existing small arms and light weapons programs.
- Political will is an essential factor for implementation of all SALW projects. There should be a sincere commitment on the part of the senior political leadership of the country undertaking a collection/destruction project.
- When embarking on any collection or destruction effort, it is important to ensure coordination with national authorities and with other in-country organizations having an interest in SALW issues.
- The needs of a recipient country and the capabilities of a donor country must be closely coordinated.
- Standard criteria to evaluate the added value of a project and its chances for successful implementation should be developed.
- There should be coordination of efforts and synergy among national, regional and international endeavors. Complementarities among such efforts should be recognized and developed.

- Future OSCE mission mandates could include assisting and providing technical advice to states with regard to the implementation of SALW collection/destruction programs.
- The international community must look beyond the UN 2001 Conference since it is only the beginning of the process.
- The time has come to focus on how to implement recommendations on weapons destruction.

The Co-chairs thank the participants for the contributions and ideas that were brought up during the Seminar. It is hoped that many of these ideas may be taken into account in the deliberations currently taking place in other fora dealing with the issue of small arms and light weapons.

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CHAIRMAN'S CONCLUSIONS

Ambassador Kim Traavik

Third Meeting of the Working Table on Security Issues
Sofia, October 4 - 5, 2000

Small Arms and Light Weapons

There was general appreciation of Albania's commitment to destruct some 130 000 Small Arms and Light Weapons, in partnership with the United States, Norway, and Germany. Norway and Germany pledged to support the project, which springs from the Technical Assessment Mission undertaken by the United States and Norway.

There was strong support for the imminent visits of the US/Norwegian Assessment Missions to the FYR of Macedonia and Bulgaria. The Missions were expected to lead to tangible results.

Delegations considered the possibility of establishing an informal ad-hoc mechanism for exchange of information on small arms related activities. The Sub-Table would revert to this idea following further reflections.